

OCT 18 2013

JULIA C. DODGE, CLERK  
BY: *Chfr*  
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
HARRISONBURG DIVISION

UNITED STATES OF AMERICA, ) CASE NO. 5:07CR00011  
                                  ) (CASE NO. 5:13CV80574)  
                                  )  
v.                              ) ORDER  
                                  )  
                                  )  
FERNANDO BARAJAS, ) By: Glen E. Conrad  
                                  ) Chief United States District Judge  
Defendant.                  )

In accordance with the accompanying memorandum opinion, it is hereby

**ADJUDGED AND ORDERED**

that the defendant's motion to reconsider (ECF No. 40), challenging this court's opinion and order dismissing his motion to vacate, set aside or correct the sentence under 28 U.S.C. § 2255, is **DENIED**. Based upon the court's finding that the defendant has not made the requisite showing of denial of a substantial right, a certificate of appealability is **DENIED**.

ENTER: This 17<sup>th</sup> day of October, 2013.

*Glen Conrad*  
\_\_\_\_\_  
Chief United States District Judge